

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY RAY DENNY, JR.,

Defendant.

CR-18-81-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 19, 2022. (Doc. 131.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 18, 2022. (Doc.126.) The United States accused Denny of violating his conditions of supervised release 1) by failing to report for substance abuse testing on three separate occasions; 2) by failing to maintain full time employment; and by failing to report for substance abuse treatment. (Doc. 123.)

At the revocation hearing, Denny admitted that he had violated the conditions of his supervised 1) by failing to report for substance abuse testing on three separate occasions; 2) by failing to maintain full time employment; and by failing to report for substance abuse treatment. (Doc. 126.) Judge Johnston found that the violations Denny admitted proved to be serious and warranted revocation, and recommended that Denny receive a custodial sentence of 10 months, with no supervised release to follow. (Doc.131.) Denny was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 126.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc.131) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Larry Ray Denny, Jr. be sentenced to the Bureau of Prisons for 10 months, with no supervised release to follow.

DATED this 3rd day of February, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court